

## NOTICES OF SUPPLEMENTAL PROPOSED RULEMAKING

After an agency has filed a Notice of Proposed Rulemaking with the Secretary of State's Office for *Register* publication and filing and the agency decides that prepare a Notice of Supplemental Proposed Rulemaking for submission to the Office. The Secretary of State shall publish the Notice under the Administrative Procedure Act (A.R.S. § 411001 et seq.) publication of the Notice of Supplemental Proposed Rulemaking in the *Register* before holding any oral proceedings (A.R.S. § 411022).

### NOTICE OF SUPPLEMENTAL PROPOSED RULEMAKING

#### TITLE 4. PROFESSIONS AND OCCUPATIONS

#### CHAPTER 6. BOARD OF BEHAVIORAL HEALTH EXAMINERS

##### PREAMBLE

1. Register citation and date for the original Notice of Proposed Rulemaking:  
2 A.A.R. 1740, May 17, 1996
2. Sections Affected  
R4-6-701
- Rulemaking Action  
New Section
3. The specific authority for the rulemaking, including both the authorizing statutes (general) and the statutes the rules are implementing (specific):  
Authorizing statute: A.R.S. § 32-3253(A)(1)  
Implementing statute: A.R.S. § 32-3321
4. The name and address of agency personnel with whom persons may communicate regarding this rule:  
Name: Sonja Bolf, Assistant to the Director  
Address: Board of Behavioral Health Examiners  
1400 West Washington, Suite 350  
Phoenix, Arizona 85007  
Telephone: (602) 542-1896  
Fax: (602) 542-1830
5. An explanation of the rule, including the agency's reasons for initiating the rule:  
The rule to make up a deficiency for Substance Abuse Counselors was inadvertently omitted from the proposed rulemaking package.
6. An explanation of the substantial change which resulted in this supplemental notice:  
A Substance Abuse Counselor is required to have a specific curriculum to become certified. If this curriculum is not present in the professional's initial application, the deficiency may be made up and the professional may submit a request for reassessment of the application to determine eligibility.
7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:  
Not applicable.
8. The preliminary summary of the economic, small business, and consumer impact:  
The principal impact of these rules will be on members of the Social Work, Counselor, Marriage and Family Therapy, and Substance Abuse Counselor professions. The rules set the requirements for a professional to become certified. Certification is voluntary, thus there is no required cost or economic impact to any individual or business. Although certification is voluntary, some 3rd-party payers and private and public agencies are requiring certification. Certified behavioral health professionals who want to work with these 3rd-party payers or private or public agencies will incur the cost of becoming certified. The majority of the proposed rules have been in effect since the Board was established in 1989. Promulgating these in accordance with the Arizona Administrative Procedures Act should not have an economic impact. The only changes between the current rules and the proposed rules is the elimination of the formal investigative hearing and the addition of time frames for the Board to deny or certify an applicant. The Board has found that the formal investigative hearing duplicates the formal hearing. Because all professionals have the right to an informal meeting and a formal hearing, the formal investigative hearing is redundant and does not further the due process rights of the applicant. Eliminating the formal investigative hearing will reduce the time to process a contested application and therefore, will benefit the applicant and the public.

Notices of Proposed Supplemental Rulemaking

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the preliminary economic, small business and consumer impact statement.

Name: David Oake, Executive Director  
Address: Board of Behavioral Health Examiners  
1400 West Washington, Suite 350  
Phoenix, Arizona 85007  
Telephone: (602) 542-1882  
Fax: (602) 542-1830

10. The time, place and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when and how persons may request an oral proceeding on the proposed rule:

A person may submit written comments on the proposed rules no later than 3 p.m., September 23, 1996, to:

Name: Sonja Bolf, Assistant to the Director  
Address: Board of Behavioral Health Examiners  
1400 West Washington, Suite 350  
Phoenix, Arizona 85007  
Telephone: (602) 542-1896  
Fax: (602) 542-1830

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable.

12. Incorporations by reference and their location in the rules:

None.

13. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 6. BOARD OF BEHAVIORAL HEALTH EXAMINERS

ARTICLE 7. SUBSTANCE ABUSE COUNSELING AND  
TREATMENT

R4-6-701. Education and Work Experience

ARTICLE 7. SUBSTANCE ABUSE COUNSELING AND  
TREATMENT

R4-6-701. Education and Work Experience

An applicant for certification as a Substance Abuse Counselor shall meet 1 of the following:

1. A Master's or Doctorate degree with an emphasis in counseling. The degree shall be:
  - a. From a regionally accredited college or university, in a behavioral science, with at least 24 semester or 32 quarter credit hours of counseling-related courses;
  - b. From a regionally accredited college or university, in a program the Substance Abuse Credentialing Committee determines is substantially equivalent to the degree described in subsection (1)(a); or
  - c. An equivalent foreign degree.
2. A Bachelor's degree with an emphasis in counseling and 2 years or work experience counseling substance abusers under professional supervision. The degree shall be:
  - a. From a regionally accredited college or university, in a behavioral science, with at least 30 semester or 40 quarter credit hours of counseling-related courses;
  - b. From a regionally accredited college or university,

in a program the Substance Abuse Credentialing Committee determines is substantially equivalent to the degree described in subsection (2)(a); or

- c. An equivalent foreign degree.

3. An Associate of Applied Science degree in Chemical Dependency with an emphasis in counseling and 2 years of work experience counseling substance abusers under professional supervision. The degree shall be:

- a. From a regionally accredited college or university, in a behavioral science, with at least 30 semester or 40 quarter credit hours of counseling-related courses;

- b. From a regionally accredited college or university, in a program the Substance Abuse Credentialing Committee determines is substantially equivalent to the degree described in subsection (3)(a); or

- c. An equivalent foreign degree.

4. An applicant who does not meet all curriculum requirements in the applicant's Doctorate, Master's, Bachelor's, or Associate of Applied Science degree in Chemical Dependency with an emphasis in counseling shall be determined ineligible. If the applicant is determined ineligible, the applicant may make up the deficiency and submit a request for reassessment in accordance with R4-6-302.

- 4.5. A high school diploma or equivalent (GED) and 4 years of work experience counseling substance abusers under professional supervision.